

**WATER ALLOCATION PROGRAM DEVELOPMENT
OUT-OF-BASIN TRANSFER COMMITTEE**

MINUTES OF MEETING

August 13, 2003

Members Present:

Kevin Cute
Jeff Hershberger
Herb Johnston
Henry Meyer

Water Resources Board Staff:

Kathleen Crawley
Connie McGreavy

Guests: None

Members Absent:

Julia Forgue
Ken Burke
Paul Corina
Mike Covellone
John Dubis
Stan Knox
Pam Marchand
Denise Poyer
Alisa Richardson
Ed Szymanski
John Torgan

I. CALL TO ORDER

Kevin Cute called the meeting to order at 1:50PM.

II. APPROVAL OF MINUTES

There were no June or July minutes provided for acceptance.

III. ITEMS FOR ACTION

A. Updates on OOBT Report Writing

Mr. Cute will provide a written report on Sections III and IV: The Watershed Approach (includes summary of pertinent sections of the Regulated Riparian Model Water Code) and Legislation in RI (there was a suggestion that this section should be titled, Laws, Regulations and Plans).

Section I, Introduction:

Mr. Hershberger reviewed his section of the report that committee members had received before the meeting. Members offered to send comments to him electronically.

Section II, Definitions:

Ms. McGreavy asked whether the term "accounting basin" should be added.

Section III, RI Watershed Approach (see above)

Section IV, Legislation in RI (see above)

Section V, Current OOBT Practices in Rhode Island

Mr. Meyer explained that he would use a case history of the Kingston Water District to describe typical OOBT scenarios in RI by public water suppliers. He would be able to demonstrate that in many cases, water is transferred by sewer out

of basins of origin. The group felt that statewide explanation was needed regarding “wheeling of water” that is allowed between suppliers. Mr. Meyer will use data from a spreadsheet to quantify volumes of water conveyed around the state. Because NEWUDS is not fully populated with water data, anecdotal information could be used for other areas such as the Pawtuxet watershed, the Coastal Ponds watershed, and the Hunt-Annaquatucket-Pettaquamscutt basin. Mr. Johnson thought it would be good to know how much water Kent County Water Authority imports/exports from the Branch River.

Mr. Hershberger will finalize the data for the Wood Pawcatuck and Blackstone and use diagrams to depict OOB in the Chipuxet. The group agreed that written text was needed to support the findings illustrated on the map of the Chipuxet. Mr. Hershberger explained that he added 0.295 MGD for Inflow & Infiltration. Discussion ensued regarding refinement of the figures, with the primary finding that there is significant export of sewerage out of the basin.

Ms. McGreavy explained that calculating OOB using the NEWUDS database is only as good as the estimates used as inputs. Mr. Hershberger agreed to fill out this section by elaborating on the method used to calculate OOB in the Chipuxet. Members acknowledged that this is a complicated process and that there are yet seasonal variances, infrastructure-related variances, and weather variances that are difficult to account for without modeling. Ms. McGreavy wished to clarify how evapotranspiration from consumptive uses was being quantified. Did the committee agree that irrigation losses would be considered a form of OOB? Mr. Johnston stated that it is a water use issue, part of a total water budget. It is not a direct transfer but it is a discharge to the atmosphere—it is a factor. Mr. Meyer felt that agricultural water use in the Wood-Pawcatuck, especially for turf, was a big number, and encouraged that monitoring be done in order to develop an accurate record. Ms. McGreavy mentioned that the Water Use Reporting Committee is investigating coefficients for estimating water uses.

Section VI, Effects of OOB

Mr. Hershberger reviewed his section of the report, which committee members had received before the meeting. He planned to make further revisions and then ask members to send comments to him electronically.

Section VI, Managing OOB in Rhode Island

Mr. Johnston stated that a basin approach is needed, not strictly a local one. By limiting expansion of wastewater treatment facilities and public water supply systems, and by implementing land use controls, OOB can be better managed. He felt the Water Resources Board (WRB) or some other central authority might have to order towns not to export water because streams can run dry. He felt that the WRB needed to allocate water withdrawal rights to maintain minimum stream flows. Mr. Johnston had an idea to simultaneously measure low stream flow in all major basins in order to determine natural flows using the accounting basin concept. Ultimately, model analysis would be required. Ms. Crawley mentioned a US Geological Survey (USGS) “Stream Stats” program co-funded by the WRB; the work scope may need to be adjusted to add low flow. Mr. Hershberger commented on the MA program.

Discussion shifted to the need to geographically define accounting basins. Mr. Hershberger suggested that basins could be listed or depicted by showing sub-basin boundaries for the whole state. Ms. Crawley explained that the USGS had a problem with the HUC classification, since it is based on surface water divides, not groundwater divides. The water use and availability study areas (basins) do not line up with the HUC delineation.

B. Finalize OOBT Committee's Recommendations to WRB (Section VIII)

Mr. Johnston described a long list of management measures including the use of NEWUDS to calculate OOBT and continued development of computer simulation models to project impact from development. Discussion moved to how RI Coastal Resources Management Council (CRMC) assesses new housing applications (Category B Application). He asked whether there was enough water at the Ninigret Hamlet project in Charlestown. Ms. McGreavy stated that this is the problem—developers hire experts to estimate water availability, and towns cannot always certify their findings. Mr. Johnston felt that perhaps, OOBT permitting is not needed, and that water withdrawal permitting will provide the information necessary to make water determinations. There was consensus that a “one stop shopping approach with early notification to all agencies with oversight was a good idea. Mr. Cute thought it was important to make the process predictable. Ms. McGreavy thought there should be more monitoring in critical areas (like CRMC's Special Management Areas). Mr. Cute wondered if the WRB could hire an engineer to review CRMC permits once per month. Mr. Meyer felt it was important to stream line the process and go to one place for a permit. Ms. McGreavy stated that the Regulated Riparian Model Water Code provides for a combined water quality/water quantity permit process. Joint review could occur, as it does now with Water Supply Systems Management Plans.

Because time was running short, Ms. McGreavy asked everyone to review the new (expanded) list of recommendations and comment. WRB staff would be compiling all the WAPAC Committee recommendations by Sept. 9, 2003. The OOBT Committee is scheduled to present its findings on Sept. 29th. The group agreed to set two meetings in September to prepare.

IV. OTHER BUSINESS

A. Input to Education Committee

Committees touched on a few themes during this discussion. The first was the issue of explaining what OOBT is, potentially using pictures. The other was that it is important for the public to understand that conjunctive management of surface water and groundwater is needed. Another theme was who should be targeted for education and/or technical training, which needs to be an ongoing process. Mr. Meyer listed planners, local officials, developers and their consultants, land use attorneys, and watershed councils. It was noted that Grow Smart RI provides local training and it is a goal of the Governor's Growth Planning Council to form a Planning Institute. Ms. Crawley stated that subdivision, zoning and land use laws would have to be changed to protect water resources. She supported the notion of having a basis in state law which towns could then make local ordinances

consistent with. One final education theme was simply raising awareness of watershed issues and bringing down barriers.

B. Priority Uses Committee Resolution

Ms. McGreavy explained that this committee was looking for feedback from the WAPAC.

C. Safe Yield

Mr. Johnston asked what is the WRB's definition of safe yield. Ms. McGreavy distributed the regulations and Ms. Crawley gave additional background. Mr. Johnston felt strongly that safe yield will be established by minimum acceptable stream flow, and that each basin should be monitored at selected reaches to come up with minimum flows throughout a basin. A model could simulate when a standard might be violated. Inferences to safe yield of groundwater could be drawn for the basin. Mr. Johnston reminded the group that calculating safe yield was especially important in terms of defending water allocation decisions in court.

D. Next Meeting

The September meeting will be held on the second Wednesday of the month at the RI Water Resources Board.

VI. AJOURNMENT

The meeting was adjourned at 4:15 PM.

Respectfully submitted,

Connie McGreavy
RI Water Resources Board

Date